

APPROVED

# Town of Lansing

Monday, November 9, 2009 7:15PM

PLANNING BOARD

## PLANNING BOARD MEMBERS

(\*Denotes present)

* Nancy Loncto	* Tom Ellis
* Larry Sharpsteen	* Lin Davidson, Chairman
Viola Miller	* David Hatfield
Richard Prybyl	
* Jeffrey Overstrom, EIT	
Lorraine Moynihan Schmitt, Esq.	

### Public Present

Tom Besemer	John Mares
Robert Cree	Bruce Kilmartin
Diane Rutherford	Kathy Miller

### General Business

Lin Davidson called the Planning Board Meeting to order at 7:20 PM. Mr. Davidson inquired if there was anyone from the Public that would like to speak.

### Public/Member Comments/Concerns

Thomas Ellis inquired if Liberty Liquor had been informed that they could not have customer parking in the front of the building, and a sign was to be erected to that affect. Mr. Ellis has received a complaint from a neighbor indicating a large truck almost backed into him, and Mr. Ellis himself experienced someone pulling out in front of him.

Jeffrey Overstrom will follow up with this concern.

### Site Plan & SEQR Review-Bed & Breakfast, Applicant: Diane Rutherford, 559 Ridge Road, R2 District

Diane Rutherford appeared before the Planning Board for Site Plan Review. Previously on October 20, 2009 Ms. Rutherford appeared before the Zoning Board of Appeals for a request of an Area Variance with respect to rear line setbacks. The Zoning Board approved Ms. Rutherford's request. Members reviewed material submitted by Ms. Rutherford. The Members were concerned with the use of the upper driveway, and requested that the customers use the entrance at the bottom only. Jeff Overstrom advised the Members that the Planning Office has checked with the Tompkins County Health Department with respect to the existing septic system and they did not have any issue with the volume that is being proposed. Parking is abundant. There will be no additional lighting. Thomas Ellis inquired if the County had responded to the 239. Mr.

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Overstrom indicated this was exempt from a 239 due to the Inter-Municipal Agreement between the Town and The County.( II- Items to be Excluded from Review (C) Special Permits or Site Plan Reviews for permitted accessory uses and home occupations on residential lots;)

The Planning Board reviewed Part I of the Short Environmental Assessment Form completed by the Applicant and completed Part II by the Planning Board Members. No significant adverse environmental impacts or effects were identified in Part II by the Planning Board Members.

Thomas Ellis made a motion declaring a negative declaration. Nancy Loncto seconded.

## **VOTE AS FOLLOWS:**

**Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

## **MOTION CARRIED**

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Thomas Ellis made a motion to waive the SEQR Public Hearing. Larry Sharpsteen seconded.

## **VOTE AS FOLLOWS:**

**Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

## **MOTION CARRIED.**

Thomas Ellis made a motion to waive the Public Hearing on the Site Plan.

## **VOTE AS FOLLOWS:**

**Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

## **MOTION CARRIED.**

Thomas Ellis offered the following Resolution;

**RESOLUTION No. 09-126**

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## **RESOLUTION OF THE LANSING PLANNING BOARD APPROVING DIANE RUTHERFORD BED & BREAKFAST SITE PLAN AND ADOPTING SEQR NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE**

**WHEREAS**, Applicant, Diane Rutherford has requested Planning Board consideration, review and approval of the Site Plan for a proposed 4 bedroom 2-8 person occupancy Bed & Breakfast to be located on a 2.5 +/- acre parcel at 559 Ridge Road, Lansing, New York and otherwise known as Tax Map Parcel #26.-4-7.22 in the R2 District; and

**WHEREAS**, this action is classified as an Unlisted Action, pursuant to 6 NYCRR Part 617.4 of the State Environmental Quality Review Act, which requires environmental review of the impacts of the project; and

**WHEREAS**, the requisite General Municipal Law 239 Referral(s) of GML Article 12-B was waived pursuant to the Town's Intermunicipal Agreement with the Tompkins County Planning Department as an exempt site plan review for permitted accessory uses and home occupation on a residential lot; and

**WHEREAS**, at the Lansing Planning Board Meeting, held on November 9, 2009 at the Lansing Town Hall, the Planning Board preliminary reviewed the overall Diane Rutherford Bed & Breakfast site plan and waived a public hearing for both site plan review and SEQR environmental review thereof by the Planning Board; and

**WHEREAS**, on November 9, 2009, the Planning Board, acting in an uncoordinated environmental review, reviewed and accepted, as adequate, a Short Environmental Assessment Form ("EAF") Part I, submitted by the Applicant; and the Lansing Planning Board, completed Part II of the EAF on the record (and, if applicable, Part III); and

**WHEREAS**, by motion adopted November 9, 2009, the Town of Lansing Planning Board determined that, pursuant to the provisions of the State Environmental Quality Review Act, the proposed site plan will result in no significant impact on the

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environment and issued a Negative Declaration of environmental significance for purposes of Article 8 of the Environmental Conservation Law; and

**WHEREAS**, on November 9, 2009, the Planning Board duly considered and carefully reviewed the Applicant's Bed & Breakfast Site Plan in compliance with the requirements of the Town's Laws relative to site plan review and respecting the proposed project in conjunction with the unique needs of the Town, due to topography, drainage, soil types and distributions and other natural and man made features upon and surrounding the area of the proposed Site Plan; and the Planning Board duly considered the design objectives of the Applicant and the quality and distinctiveness of the project proposal, in conjunction with the standards of review set forth at Section 701.4 *et seq.* of the Town of Lansing Land Use Ordinance, including, but not limited to, storm-water drainage plan, erosion controls, parking, water and sewer facilities, driveways, site lighting, on site and off-site impacts, landscaping and/or fencing, buffering and/or screening, roads and walkways, height limitations and compliance with other agency regulations and/or state, county and local laws and ordinances; and the Planning Board has also considered the requirements of the Town's Land Use Ordinance and Comprehensive Plan, and has determined compliance therewith in conjunction with said Site Plan Application and Review; and

**WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board, *now therefore be it*

**RESOLVED:** that the Town of Lansing Planning Board grant Final Site Plan Approval to the Applicant for the Applicant's Bed & Breakfast Site Plan for a proposed (4) bedroom 2-8 person occupancy Bed & Breakfast to be located on a 2.5 +/- acre parcel at 559 Ridge Road, Lansing, New York and otherwise known as Tax Map Parcel #26.-4-7.22, subject to the condition that the driveway adjacent to the garden area, as depicted on the Applicant's Site Plan, not be utilized for public access, ingress and egress due to site line concerns.

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## Approval/Denial of Minutes for;

September 14, 2009: Thomas Ellis made a motion to approve as submitted. Nancy Loncto seconded.

### **VOTE AS FOLLOWS:**

**Thomas Ellis - Aye**  
**David Hatfield - Aye**  
**Nancy Loncto - Aye**

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Larry Sharpsteen- Aye  
Lin Davidson - Aye

## MOTION CARRIED.

September 28, 2009: Thomas Ellis states on page 6, it indicates that he requested the Resolution be amended. Mr. Ellis states he was not the sole party requesting it to be amended, nor was it the consensus, but a majority. Ms. Jacobsen expressed to Mr. Ellis that he is interrupting the wording incorrectly, the wording meant Mr. Ellis moved the proposed Resolution.

Thomas Ellis made a motion to approve as submitted. Nancy Loncto seconded.

## VOTE AS FOLLOWS:

Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen- Abstained  
Lin Davidson - Aye

## MOTION CARRIED.

### **PDA-Modification & Recommendation to TB, Transonic, 34 Dutch Mill Road, Tax Parcel # 39.-1-50.10**

Transonic Systems, Inc. is proposing to erect a 30,000 sq. ft. building on lots 7 & 9 in the Industrial Park. Members reviewed the submitted plans. A lighting plan was presented at the Meeting. This project does not trigger a long EAF after review by Jeff Overstrom, Lorraine Moynihan Schmitt and Guy Krogh. A Stormwater prevention plan will need to be submitted for David Herrick to review prior to final approval by the Town Board. Thomas Ellis inquired if this was zoned a Business Park under a PDA wouldn't the original agreement be honored, which requires all landowners to sign off of on this change prior to Town Board approval. Jeff Overstrom indicated the original PDA document will need to be revised. It was the consensus of the Board to have the landowner's acceptance of the proposal, listed in the recommendation to the Town Board.

Larry Sharpsteen offered the following Resolution;

### **RESOLUTION No. 09-129**

### **RESOLUTION OF THE PLANNING BOARD RECOMMENDING TOWN BOARD APPROVAL OF PDA CHANGE OF USE APPROVAL OF TRANSONIC SYSTEMS, INC. APPLICATION**

**WHEREAS**, Applicant Transonic Systems, Inc. has requested Town Board approval of a PDA Application respecting the Warren Road Business Park PDA modification and a 28,375 square foot expansion of its existing facility located at 34 Dutch Mill Road, Town of Lansing, Tax Map Parcel #39.-1-50.10; and

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**WHEREAS**, in or about 1988 the Town Board approved the creation of the Warren Road Business Park PDA in the Town of Lansing, said PDA which is now zoned within the Lansing 1R District and Applicant Transonic Systems, Inc. is located within said PDA; and

**WHEREAS**, Transonic Systems, Inc., one of the owners of property in the Warren Road Business Park is seeking an expansion of its facility which will require a variance from the original Warren Road Business Park covenants which provide, among other things, that Lot 9 shall be used as a park, and the Applicant now seeks to utilize Lot 9 in the drainage configuration of its proposed expansion; and

**WHEREAS**, all of the owners of properties within the Warren Road Business Park have given their written consent to the Applicant's requested change of use to the Warren Road Business Park PDA and have submitted letters approving said proposed development and use of Lot 9 as requested by the Applicant. The names, lot numbers, and dates of the letters of consent on file in the Planning Department Office are as follows:

Tompkins County Industrial Development Agency: 26, 2009	Lot # 5, 6, & 12	June
Global Phoenix Computer Technologies Solutions, Inc.: 3, 2009	Lot #4 & 6	April
Mark Goldberg: 13, 2009	Lot #8	April
MPL, Inc.: 3, 2009	Lot #12	April
Advanced Plastic & Material Testing, Inc.: 6, 2009	Lot #14	April

**WHEREAS**, on November 9, 2009, the Planning Board, pursuant to Lansing Land Use Ordinance Section 706.5, underwent site plan review of the proposed PDA modification and the proposed expansion of the Transonic Systems, Inc. building and parking facilities, and has considered and carefully reviewed the requirements of the Land Use Ordinance Section 701 *et seq.*, relative to Planning Board site plan review and the unique needs of the Town due to the topography, the soil types and distributions, and other natural and man made features upon and surrounding the area of the proposed Site Plan, and consideration of storm water drainage, erosion control, parking, water and sewer facilities, driveways, site lighting, off site impacts, roadways and walkways, height regulations, landscaping, open space, and compliance with other state, county and local agency regulations; and the Planning Board has also considered the Town's Comprehensive Plan and compliance therewith; and

**WHEREAS**, upon due consideration and deliberation by the Town of Lansing Planning Board, *now therefore be it*

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**RESOLVED**, that the Planning Board hereby approves the Transonic Site Plan and recommends to the Town Board that the Town Board approve the Transonic Systems, Inc. application respecting the Warren Road Business Park PDA change of use modification and expansion of the Transonic Systems, Inc. facility.

Dated: November 9, 2009

## VOTE AS FOLLOWS:

**Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

## MOTION CARRIED.

### **Discussion- Extension Request of Subdivision Start for: Cottonwood, Drake Road, Tax Parcel # 35.-3-13.12**

Thomas Besemer appeared before the Board requesting an extension on the start of Cottonwood Subdivision. Due to the economic crisis, lending facilities are less likely to lend large amounts of money for a project of this magnitude.

Lin Davidson offered Mr. Besemer an 18 or 24 month time frame. Mr. Besemer chooses 24 months.

Thomas Ellis made a motion to allow a 24 month extension on the start of The Cottonwood Subdivision. Larry Sharpsteen seconded.

## VOTE AS FOLLOWS:

**Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

## MOTION CARRIED.

### **Alternate Position Voting Clarification**

The Members feels this should be clarified by Legal Counsel.

### **Nomination of Officers**

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David Hatfield made a motion requesting that the Secretary cast one ballot in favor of maintaining the current Slate of Officers for the upcoming 2010 year. Thomas Ellis seconded.

**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

**MOTION CARRIED.**

**Larry Sharpsteen cast one vote in favor of the following slate of Officers**

## Nomination and Election of Officers

### *"2010" Planning Board Officers*

Lin Davidson	Chairperson
Thomas Ellis	Vice Chairperson
Larry Sharpsteen	Secretary
David Hatfield	Treasurer

**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen- Aye  
Lin Davidson - Aye**

**MOTION CARRIED.**

Larry Sharpsteen made a motion to adjourn the Meeting. Nancy Loncto seconded.

**VOTE AS FOLLOWS:**

**Thomas Ellis - Aye  
David Hatfield - Aye  
Nancy Loncto - Aye  
Larry Sharpsteen - Aye  
Lin Davidson - Aye**

**MOTION CARRIED.**

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